

AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4909
OFFERED BY MR. ROGERS OF ALABAMA

At the end of subtitle F of title XVI, add the following new section:

1 **SEC. 16___. HARMFUL INTERFERENCE TO DEPARTMENT**
2 **OF DEFENSE GLOBAL POSITIONING SYSTEM.**

3 (a) FINDINGS; SENSE OF CONGRESS.—

4 (1) FINDINGS.—Congress finds the following:

5 (A) A previous proposal to permit commer-
6 cial terrestrial operations in frequency bands
7 adjacent to the bands in which the Global Posi-
8 tioning System (in this subsection referred to as
9 “GPS”) operates, if permitted by the Federal
10 Communications Commission, would have cre-
11 ated widespread harmful interference with GPS
12 receivers used by the Department of Defense—
13 that proposal was withdrawn.

14 (B) The Federal Communications Commis-
15 sion is now considering, and has recently re-
16 leased, a public notice concerning a new pro-
17 posal, which currently has no known adverse
18 impacts to the Department of Defense and may

1 not have any adverse impacts to the Depart-
2 ment identified when the planned evaluations
3 are complete.

4 (C) The Department is working with the
5 Department of Transportation through its Ad-
6 jacent Band Study to evaluate this new pro-
7 posal and to conduct GPS-adjacent band com-
8 patibility testing.

9 (D) The Federal Communications Commis-
10 sion will analyze the report and public com-
11 ments before making a final recommendation
12 and before it issues a final decision, and pos-
13 sible rule-making.

14 (E) The Federal Communications Commis-
15 sion, the Department of Defense, and the De-
16 partment of Transportation are working to-
17 gether, cooperatively, to develop the technical
18 record to support a final recommendation on
19 the revised proposal.

20 (2) SENSE OF CONGRESS.—It is the sense of
21 Congress that—

22 (A) the cooperation among the Federal
23 Communications Commission, the Department
24 of Defense, and the Department of Transpor-

1 tation described in paragraph (1)(E) is encour-
2 aging; and

3 (B) Congress supports the cooperative
4 process that is underway.

5 (b) FEDERAL COMMUNICATIONS COMMISSION CON-
6 DITIONS ON COMMERCIAL TERRESTRIAL OPERATIONS.—

7 (1) PROHIBITION OF AUTHORIZATION FOR TER-
8 RESTRIAL OPERATIONS UNTIL GPS INTERFERENCE
9 ADDRESSED.—The Federal Communications Com-
10 mission shall not permit commercial terrestrial oper-
11 ations in the 1525–1559 megahertz band or the
12 1626.5–1660.5 megahertz band until the Commis-
13 sion has resolved concerns of harmful interference by
14 such commercial terrestrial operations to covered
15 GPS devices, in accordance with paragraph (2).

16 (2) CONDITIONS TO AUTHORIZATION OF COM-
17 MERCIAL TERRESTRIAL OPERATIONS.—

18 (A) Prior to permitting such commercial
19 terrestrial operations, the Federal Communica-
20 tions Commission shall duly consider the final
21 report of the adjacent band compatibility as-
22 sessment conducted by the Department of
23 Transportation and other testing and analysis
24 being conducted in cooperation with the De-
25 partment of Defense.

1 (B) The Federal Communications Commis-
2 sion may not permit such commercial terrestrial
3 operations without the concurrence of the Sec-
4 retary of Defense, in consultation with the Na-
5 tional Executive Committee for Space-Based
6 Positioning, Navigation, and Timing, that such
7 commercial terrestrial operations will not create
8 harmful interference to covered GPS devices.

9 (c) NOTICE TO CONGRESS.—At the conclusion of the
10 proceeding on such commercial terrestrial operations, the
11 Federal Communications Commission shall submit to the
12 appropriate congressional committees official copies of the
13 documents containing the final decision of the Commission
14 regarding whether to permit such commercial terrestrial
15 operations. If the decision is to permit such commercial
16 terrestrial operations, such documents shall contain or be
17 accompanied by—

18 (1) an explanation of how the concerns de-
19 scribed in paragraph (1) of subsection (b) have been
20 resolved; and

21 (2) an explanation of how the authorization is
22 consistent with any concerns or reservations ex-
23 pressed by the Secretary of Defense and the Na-
24 tional Executive Committee for Space-Based Posi-

1 tioning, Navigation, and Timing pursuant to para-
2 graph (2)(B) of such subsection.

3 (d) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the Committee on Energy and Com-
7 merce and the Committee on Armed Services of
8 the House of Representatives; and

9 (B) the Committee on Commerce, Science,
10 and Transportation and the Committee on
11 Armed Services of the Senate.

12 (2) The term “covered GPS device” means a
13 Global Position System device of the Department of
14 Defense.

